APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/539,391	06/15/2005	Johannes Friso Rendert Blacquiere	NL 021420	4254

24737   7590   12/29/2009
PHILIPS INTELLECTUAL PROPERTY & STANDARDS
P.O. BOX 3001
BRIARCLIFF MANOR, NY 10510

EXAMINER
DARE, RYAN A

ART UNIT	PAPER NUMBER
2186	

MAIL DATE	DELIVERY MODE
12/29/2009	PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE <u>3</u> MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.
- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
  Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on <u>02 December 2009</u>.

2a)☐ This action is **FINAL**.   2b)☒ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) <u>1-17</u> is/are pending in the application.

    4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) <u>1-17</u> is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☐ The drawing(s) filed on _____ is/are: a)☐ accepted or b)☐ objected to by the Examiner.

    Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

    Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

    a)☐ All   b)☐ Some * c)☐ None of:

      1.☐ Certified copies of the priority documents have been received.

      2.☐ Certified copies of the priority documents have been received in Application No. _____.

      3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

    * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1)☒ Notice of References Cited (PTO-892)

2)☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)

3)☐ Information Disclosure Statement(s) (PTO/SB/08)
    Paper No(s)/Mail Date _____.

4)☐ Interview Summary (PTO-413)
    Paper No(s)/Mail Date. _____.

5)☐ Notice of Informal Patent Application

6)☐ Other: _____.

DETAILED ACTION

Claim Rejections - 35 USC § 103

1.   The text of those sections of Title 35, U.S. Code not included in this action can be found in a prior Office action.

2.   Claims 1, 13 and 17 are rejected under 35 U.S.C. 103(a) as being unpatentable over Oliveri, US Patent 7,058,786, in view of Weijenbergh et al., US PGPub 20030067859.

3.   With respect to claim 1, Oliveri teaches a method for dividing user storage space of an optical disc, the method comprising the steps of:

dividing the user storage space into one or more storage sections where a specific application is allowed to write and one or more sections where said application is not allowed to write, wherein the user storage space is space on the disc that is available for a user to store user data, in col. 3, lines 6-17, which describe the user address space, and col. 4, lines 37-49, which describe assigning a data structure for a user application with access rights; and

defining one or more availability parameters which defines a location and/or extent of at least one application-allowed storage section in the user storage space, in col. 4, lines 37-49.

Oliveri fails to teach an optical disk with a lead-in and lead-out data area. Weijenbergh teaches a user storage space located between a lead-in area and a lead-

out area on an optical disk, in par. 66. Therefore the combination of Oliveri and Weijenbergh teach all limitations of the present claim.

4.   It would have been obvious to one of ordinary skill in the art, having the teachings of Oliveri and Weijenbergh before him at the time the invention was made, to modify the data storage method of Oliveri with the data storage method of Weijenbergh in order to decrease response time when accessing a disk, as taught by Weijenbergh in par. 7.

5.   With respect to claim 13, Oliveri teaches a method of writing information to an optical disc comprising the steps of: determining the value of the availability parameters; determining at least one predefined application-allowed storage section of a user storage space on the basis of said availability parameters; consulting application-specific recording location information regarding location and extent of recorded areas; selecting, within said application-allowed storage section, free area suitable for accommodating the information to be written, taking into account said recorded areas as determined by said application-specific recording location information; writing said information within said free area thus selected, in col. 3, lines 6-17 and col. 4, lines 37-49.

Oliveri fails to teach an optical disk with a lead-in and lead-out data area. Weijenbergh teaches a user storage space located between a lead-in area and a lead-out area on an optical disk, in par. 66. Therefore the combination of Oliveri and Weijenbergh teach all limitations of the present claim.

6. It would have been obvious to one of ordinary skill in the art, having the teachings of Oliveri and Weijenbergh before him at the time the invention was made, to modify the data storage method of Oliveri with the data storage method of Weijenbergh in order to decrease response time when accessing a disk, as taught by Weijenbergh in par. 7.

7. With respect to claim 17, Oliveri teaches this, as discussed above in the rejection of claim 1.

8. Claims 2-12 and 14-16 are rejected under 35 U.S.C. 103(a) as being unpatentable over Oliveri and Weijenbergh as applied to claims 1 and 13 above, in view of Yonemitsu et al., US Patent 5,734,787.

9. With respect to claim 2, Oliveri and Weijenbergh teach all other limitations of the parent claim, but fail to teach the limitation of the present claim. Yonemitsu teaches the method according to claim 1, wherein at least some of said one or more availability parameters are incorporated in a standard format for the application concerned, in col.12, lines 37-65.

10. It would have been obvious to one of ordinary skill in the art, having the teachings of Yonemitsu, Weijenbergh and Oliveri before him at the time the invention was made, to modify the application-restricting memory system of Oliveri and Weijenbergh with the application-restricting memory system of Yonemitsu in order to provide higher access speeds, as taught by Yonemitsu in col. 2, lines 29-32.

11.   With respect to claim 3, Oliveri and Weijenbergh teach all other limitations of the

parent claim, but fail to teach the limitation of the present claim. Yonemitsu teaches the

method according to claim 1, wherein at least some of said one or more availability

parameters is(are) variable parameters whose values is(are) stored in a predetermined

area or location of user storage space of the disc, in col. 11, lines 12-49

12.   It would have been obvious to one of ordinary skill in the art, having the

teachings of Yonemitsu, Weijenbergh and Oliveri before him at the time the invention

was made, to modify the application-restricting memory system of Oliveri and

Weijenbergh with the application-restricting memory system of Yonemitsu in order to

provide higher access speeds, as taught by Yonemitsu in col. 2, lines 29-32.

13.   With respect to claim 4, Oliveri and Weijenbergh teach all other limitations of the

parent claim, but fail to teach the limitation of the present claim. Yonemitsu teaches the

method according to any of claim 1, wherein at least one of said availability parameters

defines a borderline address between an application-allowed storage section and an

application-forbidden storage section, in col. 11, lines 12-49.

14.   It would have been obvious to one of ordinary skill in the art, having the

teachings of Yonemitsu, Weijenbergh and Oliveri before him at the time the invention

was made, to modify the application-restricting memory system of Oliveri and

Weijenbergh with the application-restricting memory system of Yonemitsu in order to

provide higher access speeds, as taught by Yonemitsu in col. 2, lines 29-32.

15.   With respect to claim 5, Oliveri and Weijenbergh teach all other limitations of the

parent claim, but fail to teach the limitation of the present claim. Yonemitsu teaches the

method according to claim 1, wherein at least one of said availability parameters defines an extremity address of an application-allowed storage section, in col. 11, lines 12-49.

16.   It would have been obvious to one of ordinary skill in the art, having the teachings of Yonemitsu, Weijenbergh and Oliveri before him at the time the invention was made, to modify the application-restricting memory system of Oliveri and Weijenbergh with the application-restricting memory system of Yonemitsu in order to provide higher access speeds, as taught by Yonemitsu in col. 2, lines 29-32.

17.   With respect to claim 6, Oliveri and Weijenbergh teach all other limitations of the parent claim, but fail to teach the limitation of the present claim. Yonemitsu teaches the method of claim 1, wherein at least one of said availability parameters defines a length of an

application-allowed storage section, in col. 11, lines 12-49.

18.   It would have been obvious to one of ordinary skill in the art, having the teachings of Yonemitsu, Weijenbergh and Oliveri before him at the time the invention was made, to modify the application-restricting memory system of Oliveri and Weijenbergh with the application-restricting memory system of Yonemitsu in order to provide higher access speeds, as taught by Yonemitsu in col. 2, lines 29-32.

19.   With respect to claim 7, Oliveri and Weijenbergh teach all other limitations of the parent claim, but fail to teach the limitation of the present claim. Yonemitsu teaches a user-writeable optical disc, the optical disk comprising: a user storage space divided into one or more storage sections where a specific application is allowed to write and one or more sections where said application is not allowed to write; and a

predetermined area or location of storage space where one or more availability

parameters is(are) stored which defines location and/or extent of at least one

application-allowed storage section in the user storage space, in col. 11, lines 12-49.

20.   It would have been obvious to one of ordinary skill in the art, having the

teachings of Yonemitsu, Weijenbergh and Oliveri before him at the time the invention

was made, to modify the application-restricting memory system of Oliveri and

Weijenbergh with the application-restricting memory system of Yonemitsu in order to

provide higher access speeds, as taught by Yonemitsu in col. 2, lines 29-32.

21.   With respect to claim 8, Oliveri and Weijenbergh teach all other limitations of the

parent claim, but fail to teach the limitation of the present claim. Yonemitsu teaches the

user-writeable optical disc according to claim 7, wherein at least one of said availability

parameters defines a borderline address between an application-allowed storage

section and an application-forbidden storage section, in col. 11, lines 12-49.

22.   It would have been obvious to one of ordinary skill in the art, having the

teachings of Yonemitsu, Weijenbergh and Oliveri before him at the time the invention

was made, to modify the application-restricting memory system of Oliveri and

Weijenbergh with the application-restricting memory system of Yonemitsu in order to

provide higher access speeds, as taught by Yonemitsu in col. 2, lines 29-32.

23.   With respect to claim 9, Oliveri and Weijenbergh teach all other limitations of the

parent claim, but fail to teach the limitation of the present claim. Yonemitsu teaches the

user-writeable optical disc according to claim 7, wherein at least one of said availability

parameters defines an extremity address of an application-allowed storage section, in col. 11, lines 12-49.

24.   It would have been obvious to one of ordinary skill in the art, having the teachings of Yonemitsu, Weijenbergh and Oliveri before him at the time the invention was made, to modify the application-restricting memory system of Oliveri and Weijenbergh with the application-restricting memory system of Yonemitsu in order to provide higher access speeds, as taught by Yonemitsu in col. 2, lines 29-32.

25.   With respect to claim 10, Oliveri and Weijenbergh teach all other limitations of the parent claim, but fail to teach the limitation of the present claim. Yonemitsu teaches the user-writeable optical disc according to claim 7, wherein at least one of said availability parameters defines a length of an application-allowed storage section, in col. 11, lines 12-49.

26.   It would have been obvious to one of ordinary skill in the art, having the teachings of Yonemitsu, Weijenbergh and Oliveri before him at the time the invention was made, to modify the application-restricting memory system of Oliveri and Weijenbergh with the application-restricting memory system of Yonemitsu in order to provide higher access speeds, as taught by Yonemitsu in col. 2, lines 29-32.

27.   With respect to claim 11, Oliveri and Weijenbergh teach all other limitations of the parent claim, but fail to teach the limitation of the present claim. Yonemitsu teaches the user-writeable optical disc according to claims 7, wherein the values of said parameters are stored as a table in a predetermined area or location of the user storage space of the disc, in col. 12, lines 37-65.

28.   It would have been obvious to one of ordinary skill in the art, having the teachings of Yonemitsu, Weijenbergh and Oliveri before him at the time the invention was made, to modify the application-restricting memory system of Oliveri and Weijenbergh with the application-restricting memory system of Yonemitsu in order to provide higher access speeds, as taught by Yonemitsu in col. 2, lines 29-32.

29.   With respect to claim 12, Oliveri and Weijenbergh teach all other limitations of the parent claim, but fail to teach the limitation of the present claim. Yonemitsu teaches the User-writeable optical disc according to claim 11, wherein said table contains at least one entry defining the length of the table, in col. 12, lines 37-65.

30.   It would have been obvious to one of ordinary skill in the art, having the teachings of Yonemitsu, Weijenbergh and Oliveri before him at the time the invention was made, to modify the application-restricting memory system of Oliveri and Weijenbergh with the application-restricting memory system of Yonemitsu in order to provide higher access speeds, as taught by Yonemitsu in col. 2, lines 29-32.

31.   With respect to claim 14, Oliveri and Weijenbergh teach all other limitations of the parent claim, but fail to teach the limitation of the present claim. Yonemitsu teaches the method of writing information to an optical disc according to claim 7, comprising the steps of: reading the availability parameters from disc; determining at least one predefined application-allowed storage section in the user storage space on the basis of said availability parameters; consulting application-specific recording location information regarding location and extent of recorded areas in the user storage space; selecting, within said application-allowed storage section, free area suitable for

accommodating the information to be written, taking into account said recorded areas

as determined by said application-specific recording location information; writing said

information within said free area thus selected, in col. 11, lines 12-49.

32.   It would have been obvious to one of ordinary skill in the art, having the

teachings of Yonemitsu, Weijenbergh and Oliveri before him at the time the invention

was made, to modify the application-restricting memory system of Oliveri and

Weijenbergh with the application-restricting memory system of Yonemitsu in order to

provide higher access speeds, as taught by Yonemitsu in col. 2, lines 29-32.

33.   With respect to claim 15, Oliveri and Weijenbergh teach all other limitations of the

parent claim, but fail to teach the limitation of the present claim. Yonemitsu teaches the

method according to claim 13, wherein writing to an address outside said application-

allowed storage section is

avoided, in col. 11, lines 12-49.

34.   It would have been obvious to one of ordinary skill in the art, having the

teachings of Yonemitsu, Weijenbergh and Oliveri before him at the time the invention

was made, to modify the application-restricting memory system of Oliveri and

Weijenbergh with the application-restricting memory system of Yonemitsu in order to

provide higher access speeds, as taught by Yonemitsu in col. 2, lines 29-32.

35.   With respect to claim 16, Oliveri and Weijenbergh teach all other limitations of the

parent claim, but fail to teach the limitation of the present claim. Yonemitsu teaches the

method according to claim 14, wherein, if it appears that the size of the free area is

insufficient to accommodate the information to be written, the following steps are taken:

determining whether the application-forbidden storage section outside said application-allowed storage section, either by itself or in combination with the free area already found, contains a storage space portion suitable and sufficient for accommodating the information to be written; amending at least one of said availability parameters such as to increase the size of said application-allowed storage section, in col. 11, lines 12-49 where the program area is expanded as the tracks are sequentially written.

36.   It would have been obvious to one of ordinary skill in the art, having the teachings of Yonemitsu, Weijenbergh and Oliveri before him at the time the invention was made, to modify the application-restricting memory system of Oliveri and Weijenbergh with the application-restricting memory system of Yonemitsu in order to provide higher access speeds, as taught by Yonemitsu in col. 2, lines 29-32.

Response to Arguments

37.   Applicant's arguments with respect to claims 1-17 have been considered but are moot in view of the new grounds of rejection.

Conclusion

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any

extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of

the advisory action. In no event, however, will the statutory period for reply expire later

than SIX MONTHS from the date of this final action.

Any inquiry concerning this communication or earlier communications from the

examiner should be directed to RYAN DARE whose telephone number is (571)272-

4069. The examiner can normally be reached on Mon-Fri 9:30-6.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's

supervisor, Matt Kim can be reached on (571)272-4182. The fax phone number for the

organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the

Patent Application Information Retrieval (PAIR) system. Status information for

published applications may be obtained from either Private PAIR or Public PAIR.

Status information for unpublished applications is available through Private PAIR only.

For more information about the PAIR system, see http://pair-direct.uspto.gov. Should

you have questions on access to the Private PAIR system, contact the Electronic

Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a

USPTO Customer Service Representative or access to the automated information

system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/Ryan Dare/

December 18, 2009

/Matt Kim/

Supervisory Patent Examiner, Art Unit 2186